



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

ELP  
Docket No. 851-00  
21 July 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 July 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 27 July 1998 for four years at age 18. The record reflects that you were seen by the ship's psychologist on 31 December 1998 for difficulty in adjusting to the demands of shipboard life.

On 4 February 1999 you were seen for a follow-up evaluation following treatment at a naval hospital emergency room for ingesting a non-lethal combination of over-the-counter medications. The examining psychologist noted that you reported taking the pills because you were upset about being raped five days earlier by a male when you were intoxicated. It was further noted that you had a history of unstable and intense interpersonal relationships and impulsiveness in areas that were self-damaging, including cutting your wrist at age 16, trying to jump from a car at age 18, and recent thoughts of jumping from the ship. You also had a history of several alcohol-related incidents and untreated alcohol abuse and dependence problems. You were diagnosed with alcohol dependence and physiological dependence; a personality disorder not otherwise specified with borderline and immature features. Administrative separation was recommended because the personality disorder impaired your

ability to effectively function in the military environment and you posed a potential threat for harm to yourself and others if retained.

On 26 February 1999 you were notified that you were being considered for separation by reason of convenience of the government due to the diagnosed personality disorder. You were advised of your procedural rights, declined to consult with counsel, and waived the right to have your case reviewed by the general court-martial convening authority. Thereafter, the discharge authority directed an honorable discharge due to personality disorder. You were so discharged on 16 March 1999 and assigned an RE-4 reenlistment code.

Regulations authorize the assignment of an RE-4 reenlistment code to individuals discharged due to a personality disorder. The Board noted your letter explaining the circumstances which led to your suicide attempt and discharge. You claim that the statement on your DD Form 214 to the effect that you refused to sign the form is untrue. The Board further noted the Navy's grave concern for individuals who voice suicidal ideation or attempt suicide since it does not have the resources to treat such individual on a long term basis. You have provided no medical evidence that the Navy's diagnosis of a personality disorder was erroneous or invalid. Since you posed a potential risk for harm to yourself or others if retained and were treated no differently than others discharged under similar circumstances, the Board could find no error or injustice in your assigned reenlistment code. The fact that you failed or refused to sign your DD Form 214 does not make it invalid nor does it provide a basis for changing your reenlistment code. The Board concluded that the reenlistment code was proper and no change is warranted. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director